1.　　A method for providing an integrated electronic list of providers, comprising the steps of:

determining at least one online provider for an item;

determining at least one offline provider for the item; and

5　　　　integrating the at least one online provider with the at least one offline provider to provide an integrated list of providers for the item.

23.　　A system for online shopping, comprising:

at least one user terminal;

10　　　　at least one database containing information about online and offline providers;

means for searching the database and for providing an integrated list of online and offline providers in response to a search request for a selected item; and

15　　　　means for comparing the online and offline providers for the selected item.

The Office Action states in the Response to Arguments section:

20　　"Lin lacks disclosing that the search would entail offline merchants. However as disclosed by Giovannoli, it is obvious for offline merchants either through a consortium or a service to get their product listings online (Giovannoli: at least abstract, "Filter conditions may define the class of vendors in terms of geographical location, quantity, language spoken, currency, special conditions of sale, and the like"). In Giovannoli the type of

25　　vendor is not differentiated by offline or online presence, but by other filtering factors as stated above."

However, this is an inaccurate interpretation of Giovannoli. Giovannoli is a

30　quotation request system that broadcasts request to network members and does not "get their product listings online" as the Office Action assumes. Giovannoli accepts requests for services from a user and then matches the buyer with network members and sends the buyer's request to the members. Giovannoli does not "get their product listings online". Col. 2, lines 35-40 state:

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"The present invention is a computerized system forming a computer based communications network for processing requests for quotation for goods and/or services by broadcasting such requests to network members of the computerized system over any conventional transmitting medium, such as

5   the Internet ..."

Giovannoli further clarifies his invention as one that has no central database of goods, prices, etc. and therefore cannot "get their product listings online" as the Office Action states.   Giovannoli defines that his invention sends requests to

10   network member based on filter conditions. This does **not** "get their product listings online" through filter conditions, but rather matches the buyer to the network members using filter conditions so Giovannoli can find which network members can be sent the request. Col. 2, lines 41-51 state (emphasis added):

15   "**No central database of goods, prices, etc. is involved.** Instead, buyers formulate requests for quotation and transmit them to the computerized network which **broadcasts the request for quotation** of one or more specified standard products to prospective sellers **based on filter conditions** set by the buyer and/or the seller and/or the network

20   operator. The filter compatible sellers' responses are communicated to the prospective buyer either over the communications network or via other acceptable communications means. Their responses are processed by the quotation system and submitted to the requesting buyer."

25   Col. 2, lines 52-64 state:

"The method of the present invention processes requests for quotation for goods and/or services from a buyer or supplier of goods and/or services through a computerized system forming a computer based communications

30   network of network members for linking buyers to suppliers with the computerized system having at least one central processing unit including operating system software for controlling the central processing unit and storage means containing the identification of the network members, wherein the method comprises a computerized system receiving a buyer's

35   request for quotation over a communication network; selecting one or more

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appropriate v ndors to receive the buyer's request for quotation bas d on filter conditions ..."

5   Giovannoli's buyer is clearly blind as to which network members he is dealing with until after the network member decides to submit a response. This means that the network member does not "get their product listings online", but instead gets to participate in a blind quotation service.

10   Combining Lin with Giovannoli as the Office Action states would not result in the claimed invention, but would result in a nonsensical arrangement of an electronic shopping agent that sends online merchants request quotes and the buyer is blind as to whom he is dealing with until after an online merchant submits a response.

The Office Action also states in the Response to Arguments section:

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> "Lin lacks disclosing that the search would entail offline merchants. However as disclosed by Webber et al., it is obvious for offline merchants either through a consortium or a service to get their product listings online (Giovannoli: at least abstract, "The computer network collects product/service
> 20   information from various sources, such as gift stores, clothiers, computer dealers, etc. and formats the information in a recognizable manner to enable the information to be viewed by a user at the user's personal computer"). In Webber et al. the type of vendor is not differentiated by offline or online presence, but by other filtering factors as stated above."

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However, this is also an inaccurate interpretation of Webber. Webber clearly describes that a merchant must have a real-time link to the system. This means that Webber's system acts as an online storefront for the merchant and provides real-time stock and pricing information. Col. 1, lines 15-38 state:

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> "On-line shopping is typically conducted through a network host that maintains product/service information from a variety of merchants, takes orders from the network host's customers and forwards the orders to the respective merchant. However, this is merely one step in a multiple step
> 35   process. Before this transaction may take place, several preliminary steps

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must be accomplished. First, each participating merchant forwards product information and pricing to the network host for posting to the network to solicit purchasers. This product information and pricing is usually transferred to the network host through conventional mail, telephone service or by sending such information to the appropriate on-line address at the network host. The network host then compiles, classifies, sorts, stores and displays the product information on-line to network host customers that request such information.

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For several reasons, the product information may vary from day-to-day. The above described process may involve a significant time lag between the time that the merchant sends the product information to the network host and the time the potential consumer receives the product information. Therefore, merchants must account for such a time lag and must provide conservative estimates on the product information."

Col. 2, lines 12-33 state:

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"There is a need to provide product/service information for multiple merchants in real time to a potential customer that would otherwise not be available for weeks or months. In this age of daily market fluctuations, it is advantageous to a potential customer to be able to have accurate, real time information concerning product availability and pricing for multiple merchants. As product pricing and availability fluctuate and differ between merchants, the importance to the customer of being able to respond to those fluctuations and differences on a timely basis increases. A customer can decide in real time whether to purchase one product over another product or whether to purchase a product from one merchant over another merchant.

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The present invention is designed to provide a user with real time product/service information, from a variety of merchants, in a format that is understandable and informative. The present invention is unique in that never before has there been a network system that conducts a search of multiple sources of shopping information, in substantially real time, and presents the results to the user in one organized presentation."

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It is clear that Webber replaces a standard online shopping experience with a real-time online shopping experience. Therefore, combining Lin with Webber as the Office Action suggests would result in an electronic shopping agent that deals with

5   online merchants in a real-time fashion giving the buyer real-time updates as availability and pricing. This is not what is claimed in the invention.

Applicant has attached a 37 CFR §1.132 declaration from one of the Inventors, Ellen Butler, stating that, given the state of the art at the time the invention was

10   made and also information from Lin in view of Webber and Giovannoli, it would not have been obvious to one skilled in the art at the time the claimed invention was made to have combined online providers and offline providers in an integrated list for items searched during an online shopping experience. This further supports Applicant's discussion above.

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As the Office Action states:

"In response to applicant's argument that the examiner's conclusion of obviousness is based on improper hindsight reasoning, it must be

20   recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only form the applicant's disclosure, such a reconstruction is proper ..."

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It is clear from the above discussions that what knowledge was within the ordinary skill at the time the claimed invention was made as presented by the Office Action does not include providing a system that integrates at least one online provider with at least one offline provider to provide an integrated list of providers for an item

30   as claimed in the invention. It would not have been obvious given Lin in view of Webber and Giovannoli because neither of the references disclose that a search would entail offline merchants. It is clear from the above, that the Office Action's reconstruction could only be made, given the information from Lin in view of Webber and Giovannoli, from knowledge gleaned from only from the Applicant's

35   disclosure.

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Therefore, neither Lin in view of Webber and Giovannoli teach or disclose all of the claim limitations of the invention.

5   Claims 1 and 23 are allowable. Claims 2-22, and 24-25 are dependent upon Claims 1 and 23, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

CONCLUSION

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Based on the foregoing, Applicant considers the present invention to be distinguished from the art of record. Accordingly, Applicant earnestly solicits the Examiner's withdrawal of the rejections raised in the above referenced Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present
15 application is therefore allowed to issue as a United States patent.

Respectfully Submitted,

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25 Customer number 22862.

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